

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

DARLENE DAVIS,)
Plaintiff,) Civil Action No. _____
vs.)
DOLGENCORP, LLC,)
Defendant.)

)

NOTICE OF REMOVAL

TO: LARRY A. WELBORN, ATTORNEY FOR PLAINTIFF:

YOU WILL PLEASE TAKE NOTICE that the Defendant Dolgencorp, LLC (“Defendant”), removes the above-captioned case from the Circuit Court of Oconee County, South Carolina, into the United States District Court, District of South Carolina, Anderson Division. This removal is proper on the following grounds:

1. A civil action has been commenced and is now pending in the Circuit Court of Oconee County, State of South Carolina, styled *Darlene Davis v. Dolgencorp, LLC*, Civil Action Number 2022-CP-37-00065.

2. This action is one in which the United States District Courts have original jurisdiction, because the action involves a controversy which is wholly between citizens of different states, in that upon information and belief, the Plaintiff was at the time of the commencement of this action, and still is, a citizen of the State of South Carolina. The Defendant Dolgencorp, LLC (“Dolgencorp”) was at the time incorporated with its principal place of business in a State other than South Carolina.

3. The Defendant is entitled to removal of the aforesaid action to this Court because complete diversity of citizenship exists between Plaintiff and Defendant and the amount in the controversy exceeds the jurisdictional amount required by 28 U.S.C. § 1332.

4. This action was commenced by service of the Second Amended Summons and Complaint, attached hereto as **Exhibit A**. The Complaint did not contain a monetary amount of damages or the relief sought. Pursuant to 28 U.S.C. § 1446(b)(3), and Plaintiff's counsel has informed the undersigned he will not stipulate the damages are less than \$75,000.00. This Notice of Removal is filed within thirty (30) days of service upon Defendant of the initial pleadings setting forth the claim upon which relief is requested. Defendants will serve an Answer or responsive pleading as provided by law through this Court and in accordance with the applicable Federal Rules of Civil Procedure and Local Civil Rules.

5. The Honorable Melissa C. Burton, Clerk of Court of Oconee County, has been provided a copy of this Notice of Removal.

WHEREFORE, Defendant gives notice that the aforesaid action is removed from the Circuit Court of Oconee County, State of South Carolina, and to this Court for trial and determination.

MCANGUS GOUDELOCK & COURIE, L.L.C.

s/J. Adam Ribock

J. ADAM RIBOCK (Federal Bar No. 12287)
adam.ribock@mgclaw.com
FIONA R. REED (Federal Bar No. 13473)
1320 Main Street, 10th Floor (29201)
Columbia, South Carolina 29211
Telephone: (803) 779-2300
ATTORNEYS FOR DEFENDANT

March 7, 2022